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7 PARTNERRE IRELAND INSURANCE DAC

8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA – WESTERN DIVISION**

10
11 SKYE BIOSCIENCE, INC.,
12 Plaintiff,
13 vs.

14 PARTNER RE IRELAND INSURANCE
15 DAC,
16 Defendant.

Case No. 2:23-CV-1218-CAS
(AFMx)
(Assigned to Hon. Christina A.
Snyder)

**PARTNERRE IRELAND
INSURANCE DAC'S NOTICE OF
MOTION AND MOTION TO
DISMISS**

Date: June 12, 2023
Time: 10:00 a.m.
Crm.: 8D

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19 TO ALL PARTIES HEREIN AND THEIR ATTORNEYS OF RECORD:

20 PLEASE TAKE NOTICE THAT, on June 12, 2023, at 10:00 a.m. or as soon
21 thereafter as the matter may be heard in the Courtroom of the Honorable Christina
22 A. Snyder, located at 350 W. First Street, Courtroom 8D, Los Angeles, CA 90012,
23 Defendant PartnerRe Ireland Insurance dac will, and hereby does, move for Order
24 dismissing the Complaint with prejudice in its entirety pursuant to FRCP 12(b)(6)
25 on the grounds that Plaintiff fails to allege sufficient facts to state claims for breach
26 of contract, tortious breach of the duty of good faith and fair dealing, and
27 declaratory relief. Plaintiff fails to state any claim upon which relief can be granted
28 on each cause of action in its Complaint, because Plaintiff is not entitled to

1 insurance coverage under the Directors, Officers and Company Liability Policy No.
2 B0621PNEMU000218 issued by Defendant.

3 This Motion is based upon this Notice, the supporting Memorandum of Points
4 and Authorities, the pleadings and papers on file herein, and upon such other
5 evidence or argument as may be presented to the Court at the time of the hearing.

6 This Motion is made following the conference of counsel pursuant to L.R. 7-3
7 which took place telephonically on March 29, 2023 and April 5, 2023.

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9 Dated: April 17, 2023

Respectfully Submitted,

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11 TROUTMAN PEPPER HAMILTON
12 SANDERS LLP

13 By: /s/ Jennifer Mathis

14 Jennifer Mathis
15 Christy A. Markos
16 Attorneys for Defendant
17 PARTNERRE IRELAND
18 INSURANCE DAC

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